

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OUMAR ABDALLAH,
Plaintiff,

v.

ALLEGHENY VALLEY SCHOOL ET AL.,
Defendants.

CIVIL ACTION

NO. 10-5054

FILED

FEB 11 2011

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 31st day of January, 2011, upon consideration of Defendant Allegheny Valley School's Motion To Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. 8) and Plaintiff Oumar Abdallah's Response in Opposition thereto (Doc.9), **IT IS HEREBY ORDERED AND DECREED** that as follows:

- The Motion to Dimiss Count I of the Complaint is **DENIED**.
- The Motion to Dimiss Count III of the Complaint is **GRANTED**.

BY THE COURT:



Hon. Petrese B. Tucker, U.S.D.J.